

1 **DANIEL AZIZI, Esq. - State Bar No. 268995**
2 **DOWNTOWN L.A. LAW GROUP**
3 601 N. Vermont Ave.
4 Los Angeles, CA 90004
5 Tel: (213) 389-3765
6 Fax: (877) 389-2775
7 Email: Daniel@downtownlalaw.com

8 Attorneys for Plaintiffs
9 TAMMY LITTLE, et. al.

10
11 SUPERIOR COURT OF CALIFORNIA
12 COUNTY OF SAN BERNARDINO

13 TAMMY LITTLE, an individual; LEAH
14 BUMBALOW, a minor, by and through her
15 Guardian Ad Litem TAMMY LITTLE

16 Plaintiff,

17 v.

18 REGAL ENTERTAINMENT GROUP, a
19 Delaware corporation; LAURA, an individual;
20 and DOES 1-25, inclusive.

21 Defendants.

Case No.: **CIV SB 2121463**

COMPLAINT FOR DAMAGES

1. NEGLIGENCE
2. PREMISES LIABILITY

[JURY DEMANDED]

22
23 COME NOW, Plaintiffs, TAMMY LITTLE, an individual; LEAH BUMBALOW, a
24 minor, by and through her Guardian Ad Litem TAMMY LITTLE, and allege against
25 Defendants, and each of them, as follows:

26 1. Plaintiffs TAMMY LITTLE, an individual; LEAH BUMBALOW, a minor, by and
27 through her Guardian Ad Litem TAMMY LITTLE is an individual and is now, and at all
28 times mentioned in this complaint was, an adult resident of Los Angeles County, California.

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

JUL 21 2021

BY Elizabeth Gomez
ELIZABETH GOMEZ, DEPUTY

Downtown L.A. Law Group
601 N. Vermont Ave.
Los Angeles, CA 90004

Downtown L.A. Law Group
601 N. Vermont Ave.
Los Angeles, CA 90004

2. Plaintiffs are informed and believe, and based upon such information and belief allege that at all times relevant hereto Defendants REGAL ENTERTAINMENT GROUP, a Delaware corporation; LAURA, an individual; and DOES 1-25, inclusive, are, and at all times herein mentioned were individuals, corporations, sole proprietors, shareholders, associations, partners and partnerships, joint venturers, and/or business entities unknown, primarily residing and doing business in the county of San Bernardino, State of California.

3. Plaintiffs are informed and believe, and based upon such information allege that Defendant LAURA was a supervisor and/or manager of the theater at the time of Plaintiffs' incident. Based on information and belief, LAURA is now, and at all times mentioned in this complaint was, an adult resident of San Bernardino County, California. It is believed that LAURA was responsible for the maintenance of the theater at the time of Plaintiff's incident, was responsible to verify that there was in place a policy which provided for the maintenance of the theater according to industry standards, was responsible for the training and education of the theater employees who were tasked with conducting the maintenance of the theater, and was responsible for verifying that the theater be maintained according to industry standards and sufficient policies and procedures.

4. Defendants DOES 1-25, inclusive, are sued herein under fictitious names, their true names and capacities being unknown to Plaintiffs. Plaintiffs will amend this complaint to allege their true names and capacities when ascertained. Plaintiff is informed and believes and thereon alleges that each of the fictitiously named Defendants is responsible in some manner for the occurrences herein alleged, and that Plaintiff's damages as herein alleged were proximately caused by those Defendants.

5. Plaintiffs are informed and believe, and based upon such information and belief allege that at all times relevant hereto Defendants REGAL ENTERTAINMENT GROUP, a Delaware corporation; LAURA, an individual; and DOES 1-25, inclusive, are, and at all times herein mentioned where individuals, corporations, sole proprietors, shareholders, associations, partners and partnerships, joint venturers, and/or business entities unknown,

Downtown L.A. Law Group
601 N. Vermont Ave.
Los Angeles, CA 90004

1 primarily residing and doing business in the County of San Bernardino, State of California.
2 At all times herein mentioned, said Defendants were the owners, lessors, sub-lessors,
3 managing agents, landlords, renters, managers, operators, marketers, inspectors, maintainers
4 and controllers, of a commercial property located at 1575 N Mountain Ave., Ontario, CA
5 91762, (hereinafter referred to as "THE SUBJECT PREMISES"), to which building the
6 general public is invited to come.

7 6. At all times herein mentioned, each of the Defendants were the agents, servants, and
8 employees of their co-defendants, and in doing the things hereinafter alleged were acting in
9 the scope of their authority as agents, servants, and employees, and with permission and
10 consent of their co-defendants. Plaintiff is further informed and believes, and thereon
11 alleges, that each of the Defendants herein gave consent to, ratified, and authorized the acts
12 alleged herein to each of the remaining Defendants.

FIRST CAUSE OF ACTION

NEGLIGENCE

(Against All Defendants)

13
14
15
16
17 7. Plaintiff re-alleges each and every allegation contained in the above Paragraphs 1
18 through 6, and by this reference incorporates said paragraphs as though fully set forth herein.

19 8. On July 22, 2019 Plaintiff was lawfully on the premises of Defendants' theater as
20 patrons Plaintiff TAMMY LITTLE, carrying Plaintiff LEAH BUMBALOW in her arms, was
21 walking within the subject premises when, suddenly and without warning, Plaintiff tripped
22 on an uneven, unleveled, defective, cracked, broken and/or deteriorated step and fell
23 violently to the floor, causing Plaintiffs to sustain the serious injuries and damages described
24 below.

25 9. Said Defendants, and each of them, fully and well knew, or should have known in the
26 exercise of reasonable care, that the structures and/or components and/or other parts of said
27 building were in a dangerous and defective and unsafe condition, and a menace to Plaintiff
28 and others lawfully on said premises.

Downtown L.A. Law Group
601 N. Vermont Ave.
Los Angeles, CA 90004

10. By reason of the aforesaid negligence, carelessness and recklessness of Defendants, and each of them, as aforesaid, and as a direct and proximate result thereof, a dangerously uneven, unlevelled, defective, cracked, broken and/or deteriorated steps that were not properly installed, maintained, cleaned and/or protected at said property causing Plaintiff to sustain the injuries and damages as hereinafter alleged.

11. As a direct and proximate result of the negligence, carelessness and recklessness of Defendants, and each of them, as aforesaid, Plaintiff were hurt in their health, strength and activity, sustaining severe shock and injuries to their persons, all of which said injuries have caused, continue to cause, and will in the future cause Plaintiffs great physical and emotional pain and suffering; Plaintiffs are informed and believes, and therefore alleges, that said injuries are permanent in nature, all to their damages in a sum according to proof.

12. As a direct and proximate result of the negligence, carelessness and recklessness of Defendants and each of them, as aforesaid, Plaintiff has been required to obtain medical services, and Plaintiff has suffered severe emotional distress.

SECOND CAUSE OF ACTION

PREMISES LIABILITY

(Against All Defendants)

13. Plaintiff re-alleges each and every allegation contained in the above Paragraphs 1 through 12, and by this reference incorporates said paragraphs as though fully set forth herein.

14. On July 22, 2019 Plaintiff was lawfully on the premises of Defendants' theater as patrons Plaintiff TAMMY LITTLE, carrying Plaintiff LEAH BUMBALOW in her arms, was walking within the subject premises when, suddenly and without warning, Plaintiff tripped on an uneven, unlevelled, defective, cracked, broken and/or deteriorated step and fell violently to the floor, causing Plaintiffs to sustain the serious injuries and damages described below.

///

Downtown L.A. Law Group
601 N. Vermont Ave.
Los Angeles, CA 90004

15. On or about July 22, 2019, Defendants REGAL ENTERTAINMENT GROUP, a Delaware corporation; LAURA, an individual; and DOES 1-25, inclusive, carelessly and negligently owned, rented, managed, leased, supervised, inspected, operated, maintained and/or controlled the premises located at or near 1575 N Mountain Ave., Ontario, CA 91762, such that it was in a dangerous, defective and unsafe condition in conscious disregard for the risk of harm to invitees thereon. By reason of said carelessness, negligence and conscious disregard of the Defendants, and each of them, said premises were unsafe and dangerous to the general public and specifically Plaintiffs, TAMMY LITTLE and LEAH BUMBALOW.

16. Defendants REGAL ENTERTAINMENT GROUP, a Delaware corporation; LAURA, an individual; and DOES 1-25, inclusive, and each of them, failed to warn Plaintiffs of said dangerous, defective and unsafe condition, although said Defendants, and each of them, knew of said condition.

17. As a direct and legal result of said carelessness, negligence and conscious disregard of Defendants REGAL ENTERTAINMENT GROUP, a Delaware corporation; LAURA, an individual; and DOES 1-25, inclusive, and each of them, Plaintiffs were seriously injured when Plaintiff TAMMY LITTLE, carrying Plaintiff LEAH BUMBALOW in her arms, tripped and fell on an uneven, unlevelled, defective, cracked, broken and/or deteriorated step that was not properly installed, maintained, cleaned and/or protected at said property causing Plaintiff to sustain the injuries and damages as hereinafter alleged.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs demand judgment against Defendants as follows:

1. For general damages in a sum according to proof;
2. For medical, hospital, and related expenses according to proof;
3. For loss of earnings according to proof;
4. For loss of future earning capacity according to proof;
5. For costs of suit herein incurred;

///

1 6. For such other and further relief as this Court may deem proper.
2

3 DATED: July 21, 2021

DOWNTOWN L.A. LAW GROUP

4
5 

6 BY: Daniel Azizi, Esq.
7 Attorney for Plaintiff,
8 TAMMY LITTLE, et. al.
9

10 **DEMAND FOR JURY TRIAL**

11 Plaintiffs demand trial by jury of all issues so triable.

12
13 DATED: July 21, 2021

DOWNTOWN L.A. LAW GROUP

14
15 

16 BY: Daniel Azizi, Esq.
17 Attorney for Plaintiff,
18 TAMMY LITTLE, et. al.
19
20
21
22
23
24
25
26
27
28

Downtown L.A. Law Group
601 N. Vermont Ave.
Los Angeles, CA 90004